

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

R&B - Buildings – Sanction of decretal amount of Rs 17,89,270/- towards depositing as per the orders of the High Court of A.P. in CMA No.777/1996 in arbitration award case of Patigadda – BII type quarters - Headquarters Circle – Accorded- Orders – Issued..

TRANSPORT, ROADS & BUILDINGS (B.II) DEPARTMENT

G.O. Rt.No840.

Dated: 4-6-2008.

Read the following..:

- 1) From Syed Moosa Quadri Contractors, Special Class Contractors, R&B (PWD) Hyderabad Lr.No.SMQ/PQ-ARB/HC- D/2008-2, dated 28.1.2008.
- 2) From the CE(R&B) Blds, Hyd Lr. No. 3480/BB(1)/2008, Dated 4.2.2008
- 3) Govt., Memo.No. 137/BII/1/2008-3, Dated, 22.2.2008.
- 4) From the CE(R&B) Lr.No.A8/JE2/ 17937/Arb.Case/ Patigadda Colony/91, Dated,3.3.2008.

ORDER:

Sri Syed Moosa Quadri contractors in their representation dated 28.1.2008 have informed that the Hon'ble Bench of Andhra Pradesh High Court on 12th July, 2007 have directed State of A.P. Hyd. represented by Superintending Engineer (R&B), Headquarters Circle, Hyderabad for depositing one fourth of the decretal amount in CMA No.777 of 1996 and CRP 2304/1996 within a period of 8 weeks from the date of order. He has therefore, requested the Govt. to issue directions for taking early action in depositing one fourth amount of Rs.71,57,078-94 in the interest of upholding rule of law.

2) The C.E. (R&B), Buildings, Hyd. has informed that the Govt. have accorded administrative sanction for Rs.321.00 lakhs towards "Construction of B2 type Govt. Residential quarters at Patigadda, Hyd. The sanctioned work was taken up by Sri Syed Moosa Quadri and the final bills were also paid on 17.10.1988. Further to that the contractor has approached the Sole Arbitrator for his claims. After hearing the case the Arbitrator award were passed for Rs.37, 81,120/- with an interest @ 21% per annum from the date of award i.e. 2.8.91 to the date of decree or payment whichever is earlier. The S.E(R&B) H.Q.Circle has filed the case in the Hon'ble High Court of A.P. Hyd. in CMA No.777 of 1996 against the Contractor's claims. The Hon'ble HC of A.P. have passed the common judgment on 12.7.2007 in this case, that the appellant shall deposit one fourth of the decretal amount along with interest of Rs.71,57,079-94 and on such deposit, the respondents are permitted to withdraw the same without furnishing any security and settlement that would be arrived at in terms of aforesaid orders.

3) The C.E. (R&B), Buildings, Hyd. has, therefore, requested the Government to obtain and communicate orders for depositing the amount under the Head of account "MH 4216-01-GRB-MH-106-GPA-SH(05)-Resdl., Accom.,530/531".in the Hon'ble High Court of A.P. Hyderabad as per the court orders i.e. Rs.17,89,270/- (25% of the amount of Rs.71,57,079/-)

(PTO)

4) Government after careful examination of the matter, hereby accord sanction for an amount of Rs.17,89,270/- (Rupees seventeen lakhs eighty nine thousand and two hundred and seventy only) towards depositing 1/4th decretal charges in CMA No.777/1996 to comply with the orders of A.P. High Court, Hyderabad and also to entrust the work to the Committee already formed to look into settlement of this nature directed by the High Court.

5) The expenditure sanctioned in para (2) above shall be debited to the Head of Account "MH 4216-01-GRB-MH-106-GPA-SH(05)-Resdl., Accom.,530/531". and shall be met initially as advance from the contingency fund, orders for which will be issued by Finance (BG.I) Department separately.

6) The Chief Engineer, (R&B), Buildings, Hyd. shall submit necessary proposals in the prescribed proforma for sanction of advance from contingency fund.

7) This order issues with the concurrence of Finance Department vide their U.O.No.008070/367/A2/Expr.PW/08, dated 5.5.2008.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr. T. Chatterjee,
Principal Secretary to Government

To
The C.E. (R&B), Buildings, Hyderabad.
The Finance (Expr.PW) Department
The Accountant General, Andhra Pradesh, Hyderabad.
The Pay and Accounts Officer, Hyderabad
Copy to the Engineer-in-Chief (R&B), Admn.
Hyderabad.

// Forwarded :: By order //

SECTION OFFICER